

Remarks

This is in response to the Office Action dated September 14, 2004. The Office Action first objected to the Oath and Declaration as that document contained an incorrect serial number for the provisional application to which the present application claims benefit. The Office Action next objected to the Specification at page 1, paragraph 2, line 2 as containing the same incorrect serial number for the above-referenced provisional application. The Office Action next objected to claims 11, 12 and 13 for various informalities. The Office Action next rejected claims 16, 26, 49 and 59 as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Office Action next rejects claims 1-6, 11, 13-17, 21-23, 27, 34-40, 45-50 and 54-56 under 35 U.S.C §103(a) as being unpatentable over Martin et al., U.S. Patent Number 6,765,927 B1 ("Martin") in view of Bakre et al., U.S. Patent Number 6,671,276 B1 ("Bakre"). The Office Action next rejects claims 7 and 41 under 35 U.S.C §103(a) as being unpatentable over Martin in view of Bakre, further in view of Elliott et al., U.S. Patent Number 5,867,495 ("Elliott"). The Office Action next rejects claims 18, 28 and 51 under 35 U.S.C §103(a) as being unpatentable over Martin in view of Bakre, further in view of Yuasa et al., U.S. Patent Number 6,085,238 ("Yuasa"). The Office Action next rejects claims 8, 9, 12, 42 and 43 under 35 U.S.C §103(a) as being unpatentable over Martin, in view of Bakre, further in view of Elliott and further in view of Yuasa. The Office Action next rejects claims 24-26, 31-33, 57-59 and 65-67 under 35 U.S.C §103(a) as being unpatentable over Martin.

The Office Action also objected to claims 10, 19, 20, 29, 30, 44, 52, 53, 63 and 64 as being dependent upon a rejected base claim, but the Office Action indicated that those claims would be allowable if rewritten in independent form.

Claims 1-9, 11-18, 21-28, 31-43, 45-51, 54-62 and 65-67 have been canceled. These claims have been canceled without prejudice and Applicant reserves the right to present these claims in a future patent application. Claims 10, 19, 29, 44, 52 and 63 have been amended to incorporate into those claims all limitations of the respective base claim and any intervening claims. Claim 52 has also been amended to correct a typographical error. Claims 10, 19, 20, 29, 30, 44, 52, 53, 63 and 64 remain under consideration

Declaration:

The Office Action objected to the Declaration as containing an incorrect serial number of the provisional patent application to which the present application claims benefit. Specifically, the Declaration indicated erroneously that the serial number of the provisional patent application was 60/296,381. The correct serial number for that application is 60/269,381. In response to this

objection, Applicant has enclosed herein a supplemental Declaration and Power of Attorney with the correct serial number of the provisional application. Applicant therefore requests the withdrawal of this objection.

Specification:

The Office Action next objected to the Specification at page 1, paragraph 2, line 2 for the same reasons as indicated above in association with the Declaration. Specifically, that portion of the Specification contained the same erroneous serial number of the provisional patent application to which the present application claims benefit. In response to this objection, Applicant has provided a replacement paragraph amended to indicate that the correct serial number of the provisional application is 60/269,381. Applicant therefore requests the withdrawal of this objection.

Applicant has amended the same paragraph to indicate the U.S. Patent Office Serial Number of the related patent application referenced in that paragraph.

Claim Rejections – 35 U.S.C. §103(a):

The Office Action next rejected claims 1-9, 11-18, 21-28, 31-43, 45-51, 54-62 and 65-67 under 35 U.S.C. §103(a) as being unpatentable over various combinations of references. These claims have been canceled. Applicant cancels these claims without prejudice and hereby reserves the right to present these claims in a future patent application.

Allowable Subject Matter:

The Office Action next objected to claims 10, 19, 20, 29, 30, 44, 52 and 53 as being dependent upon a rejected base claim, indicating that those claims would be allowable if rewritten in independent form. The cover sheet to the office action indicates that claims 63 and 64 are also “objected to,” however the Office Action does not address claims 63 and 64 at any other place in the substantive discussion of the Office Action. Since the only place where claims were objected to is in the “Allowable Subject Matter” portion on page 15 of the Office Action, Applicant assumes that claims 63 and 64 are also intended by the Office Action as being allowable if rewritten in independent format. Applicants appreciate the recognition of allowable subject matter.

In response to this objection, Applicant has rewritten claims 10, 19, 29, 44, 52 and 63 in independent form by including in each of those claims all the limitations of the respective base claim and any intervening claims. Applicant has also amended claim 52 to correct a

typographical error. Specifically, the word "receives" has been deleted in the element of that claim that begins with the phrase "receiving at the QME of the non-MC terminal. . ." This amendment does not change the scope of claim 52.

As indicated by the Office Action, claims 10, 19, 29, 44, 52 and 63 are now allowable. It follows that claims 20, 30, 53 and 64, which depend upon claims 19, 29, 52 and 63, respectively, are allowable as being dependent upon an allowable base claims.

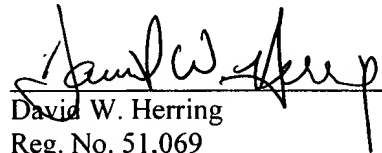
Applicant respectfully requests the allowance of claims 10, 19, 20, 29, 30, 44, 52, 53, 63 and 64.

Conclusion:

Applicants have submitted a supplemental Declaration and Power of Attorney and have amended the Specification in order to address the respective objections to the original Declaration and Specification as filed. Applicants have canceled all rejected claims. Finally, Applicants have rewritten the claims objected to by the Office Action in independent form, as was suggested by the Office Action. As a result, all objections and rejections have been addressed and all currently pending claims are allowable.

Applicants respectfully request allowance of all claims under consideration.

Respectfully submitted,



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